

AISHA K. BROSNAN (AB 5986)
BRODY, O'CONNOR & O'CONNOR, ESQS.
Attorneys for Defendant
7 Bayview Avenue
Northport, New York 11768
(631) 261-7778

WM 20-512 AB
UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
INDIRA VOHRA,

Docket No.:

Plaintiff,

-against-

NOTICE OF REMOVAL

WALMART INC., WAL-MART STORES EAST, LP,
WAL-MART STORES EAST, LP d/b/a WAL-MART
STORE #3420, WAL-MART STORES EAST, INC.,
WAL-MART ASSOCIATES, INC., and EQUITY ONE
(WESTBURY PLAZA) LLC.,

Defendants.
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**TO THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK:**

Defendants, WALMART INC., WAL-MART STORES EAST, LP, WAL-MART
STORES EAST, LP d/b/a WAL-MART STORE #3420, WAL-MART STORES EAST, INC.,
WAL-MART ASSOCIATES, INC., and EQUITY ONE (WESTBURY PLAZA) LLC., for the
removal of this action from the Supreme Court of the State of New York, County of NASSAU, to
the United States District Court for the EASTERN District of New York, respectfully shows this
Honorable Court:

FIRST: Defendants, WALMART INC., WAL-MART STORES EAST, LP, WAL-MART STORES EAST, LP d/b/a WAL-MART STORE #3420, WAL-MART STORES EAST, INC., WAL-MART ASSOCIATES, INC., and EQUITY ONE (WESTBURY PLAZA) LLC., are defendants in a Civil action brought against them in the Supreme Court of the State of New York, County of NASSAU, entitled:

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NASSAU

-----X
INDIRA VOHRA

Index No.: 613543/2020

Plaintiffs,

-against-

WALMART INC., WAL-MART STORES EAST, LP,
WAL-MART STORES EAST, LP d/b/a WAL-MART
STORE #3420, WAL-MART STORES EAST, INC.,
WAL-MART ASSOCIATES, INC., and EQUITY ONE
(WESTBURY PLAZA) LLC.,

Defendants.

-----X
Copies of the Summons, the Complaint, and WALMART INC., WAL-MART STORES EAST, LP, WAL-MART STORES EAST, LP d/b/a WAL-MART STORE #3420, WAL-MART STORES EAST, INC., WAL-MART ASSOCIATES, INC., and EQUITY ONE (WESTBURY PLAZA) LLC's., Answer are annexed hereto as Exhibit A.

SECOND: That this action seeks recovery for damages sustained as a result of personal injuries allegedly suffered by the plaintiff while on the defendant's premises.

THIRD: The grounds for removal are that this Court has original jurisdiction pursuant to 28 § 1332(a)(1). The amount in controversy exceeds the sum or value of \$75,000, exclusive of interests and costs, and is between citizens of different States. Annexed hereto as

Exhibit “B” is defendant’s Combined Demands of Defendant with CPLR 3017(c) demand. Annexed hereto as Exhibit “C” is plaintiff’s Response to Demand for CPLR 3017(c), received by this defendant on April 27, 2021.

FOURTH: The defendant, WAL-MART STORES EAST, LP, is a Delaware limited partnership with its corporate headquarters and principal place of business in Arkansas. WSE Investment, LLC, is the limited partner of WAL-MART STORES EAST, LP, and WSE Management, LLC is the General Partner. Both are Delaware companies with their principal places of business in Arkansas. The sole member of both limited liability companies is Wal-Mart Stores East, Inc. Wal-Mart Stores East, Inc. is a citizen of Arkansas. It is incorporated in Arkansas and its principal place of business is in Arkansas. Thus, for diversity purposes, the defendant is a citizen of Arkansas. See Carden v. Arkoma Assocs., 494 U.S. 185, 195-96, 110 S.Ct. 1015, 108 L.Ed.2d 157 (1990) (stating that, for purposes of diversity jurisdiction, limited partnerships have the citizenship of each of its general and limited partners); Cosgrove v. Bartolotta, 150 F.3d 729, 731 (7th Cir.1998) (stating that, for purposes of diversity jurisdiction, a limited liability company has the citizenship of its members).

FIFTH: That upon information and belief Plaintiff is a citizen of the State of New York, County of NASSAU.

SIXTH: In that this action is between citizens of different states and seeks damages in excess of \$75,000.00, than pursuant to 28 U.S.C.A. § 1332 and 28 U.S.C.A. § 1441 and § 1446 the case should be removed from the Supreme Court of the State of New York, County of NASSAU to the United States District Court for the EASTERN District of New York.

Dated: Northport, New York
April 27, 2021

Yours, etc.

BRODY, O'CONNOR & O'CONNOR, ESQS.
Attorneys for Defendant

By: /s/Aisha K. Brosnan
AISHA K. BROSAN (AB 5986)
7 Bayview Avenue
Northport, New York 11768
(631) 261-7778
File No.: WM 20-512 AB

TO: GREY & GREY, LLP
Attorneys for Plaintiff
360 Main Street
Farmingdale, NY 11735
(631) 249-1342

AFFIDAVIT OF MAILING

STATE OF NEW YORK)
) ss:
COUNTY OF SUFFOLK)

DANIELLE INFANGER, being duly sworn, deposes and says:

That your deponent is not a party to this action, is over 18 years of age and resides at Huntington, New York.

That on the 27th day of April, 2021, deponent served the within NOTICE OF REMOVAL

UPON:

GREY & GREY, LLP
Attorneys for Plaintiff
360 Main Street
Farmingdale, NY 11735
(631) 249-1342

The address designated by said attorney for that purpose by depositing a true copy of same enclosed in a postpaid properly addressed wrapper, in an official depository under the exclusive care and custody of the United States Post Office Department within the State of New York.


DANIELLE INFANGER

Sworn to before me this
27th day of April, 2021.


NOTARY PUBLIC

KAREN A. CONVERSO
NOTARY PUBLIC-STATE OF NEW YORK
No. 01CO4907647

Qualified in Suffolk County
My Commission Expires 10-13-2021